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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,368	12/31/2003	Colin Luck	9885	4899
7590	07/17/2006		EXAMINER	
John D. Cowart NCR Corporation 1700 South Patterson Blvd. Dayton, OH 45479-0001			HO, BINH VAN	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,368

Applicant(s)

LUCK ET AL.

Examiner

Binh V. Ho

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 7 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 2-3, 5-6, and 8-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, 7, 10, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Venkatesh (US 6,641,316).

(Claims 1, 4, 7, 10, 11, and 12)

Venkatesh discloses in figures 3, 4A, 4B, 5, and 7-8, a computer-implemented method for use in delivering data of a user-defined type to a requesting system, the method comprising receiving a request from the requesting system for data of the user-defined type; identifying a storage location for the requested data; identifying a storage location for program code designed to allow manipulation of the requested data on the requesting system', retrieving both the requested data and the program code from their respective storage locations; and delivering both the requested data and the program code to the requesting system (col. 1, lines 28-43; col. 2, lines 13-36; col. 5, lines 10-26; col. 8, lines 47-53; col. 9, lines 33-47; col.9, lines 65 +; col.12, lines 16-38; and claims 1, 6, and 11.

3. Claims 1, 4, 7, 10, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Rajan (US 2005/0203950).

(Claims 1, 4, 7, 10, 11, and 12)

Rajan discloses in figures 2-5 and 9-10, a computer-implemented method for use in delivering data of a user-defined type to a requesting system, the method comprising receiving a request from the requesting system for data of the user-defined type; identifying a storage location for the requested data; identifying a storage location for program code designed to allow manipulation of the requested data on the requesting system', retrieving both the requested data and the program code from their respective storage locations; and delivering both the requested data and the program code to the requesting system (paragraph [0002], [0003], [0028] - [0030], [0040] - [0042], [0049], [0065], [0078] – [0080], [0096], [0102], [0116], [0126]).

4. Claims 1, 4, 7, 10, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Marek (US 2004/0267766).

(Claims 1, 4, 7, 10, 11, and 12)

Marek discloses in figures 1-2, a computer-implemented method for use in delivering data of a user-defined type to a requesting system, the method comprising receiving a request from the requesting system for data of the user-defined type; identifying a storage location for the requested data; identifying a storage location for program code designed to allow manipulation of the requested data on the requesting system', retrieving both the requested data and the program code from their respective

storage locations; and delivering both the requested data and the program code to the requesting system (paragraph [0004], [0009] – [0015]).

5. Claims 1, 4, 7, 10, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Crisan (US 2003/0191769).

(Claims 1, 4, 7, 10, 11, and 12)

Crisan discloses in figures 1-3, 6-8, 11-12, 16-17, a computer-implemented method for use in delivering data of a user-defined type to a requesting system, the method comprising receiving a request from the requesting system for data of the user-defined type; identifying a storage location for the requested data; identifying a storage location for program code designed to allow manipulation of the requested data on the requesting system', retrieving both the requested data and the program code from their respective storage locations; and delivering both the requested data and the program code to the requesting system (paragraph [0007], [0009] – [0010], [0034], [0049], [0135], [0136], [0144], [0146]).

Allowable Subject Matter

6. Claims 2-3, 5-6, and 8-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 2, 5, and 8, the cited art of record fails to teach a computer-implemented method for use in delivering data of a user-defined type to a requesting system, the method comprising receiving a request from the requesting system for data of the user-defined type; receiving a subsequent request from the requesting system for data of the user-defined type; and in response, delivering the data requested in the subsequent request to the requesting system without delivering the program code.

Regarding claims 3, 6, and 9, the cited art of record fails to teach a computer-implemented method for use in delivering data of a user-defined type to a requesting system, the method comprising receiving a request from the requesting system for data of the user-defined type; receiving a subsequent request from the requesting system for data of the user defined type, where the subsequent request includes version information identifying a version the program code delivered previously to the requesting system; comparing the version information to information identifying a current version of the program code; and if the two versions match, a delivering the data requested in the subsequent request to the requesting system without delivering the program code.

Inquiry

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh V. Ho whose telephone number is 571 272 8583. The examiner can normally be reached on M-F from 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Binh V Ho
Examiner
Art Unit 2163

A handwritten signature in black ink, appearing to read "Don K. Wong", with a stylized flourish at the end.